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Docket No.: RPC 0529 PUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANT: Robert V. Gruber GROUP ART UNIT: 3618 SEP 24 2004
SERIAL NO.: 10/621,974 EXAMINER: J. Shriner
FILING DATE: 7/17/03
FOR: Tray and Dolly Assembly
DOCKET NO.: RPC 0529 PUSA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

In response to the non-final office action mailed May 24, 2004, please amend the application as follows:

A complete listing of the claims begins on page 2.

Remarks begin on page 7.

10/13/2004 V WILLIAM 0000003 501984 10621974

01 FC:1201 86.00 DA
02 FC:1251 110.00 DA

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Amendment (10 pages) is being sent via facsimile to 703-872-9306 on September 24, 2004.


Konstantine J. Diamond

Docket No.: RPC 0529 PUSA

however, Cino teaches that it is beneficial to have a dolly without a dolly floor, so that only the boxes specifically designed for that dolly will work with that dolly. (col. 1, lines 29-36). Therefore, since Cino does not have a dolly floor (and teaches against it), there are no caster pockets in a dolly floor as required by claim 36. Even if Upshaw were modified to include this feature of Cino, the "caster pockets" (as the Examiner calls them) would be outside the dolly floor, and would be outside an area where the tray floor would partially (claim 27) or completely (claim 31) cover them. Therefore, claim 27, 30 and 31 are independently patentable.

Conclusion

Reconsideration of the Application is requested. Please charge \$110 for a one-month extension and \$86 for one additional independent claim to Deposit Account No. 50-1984. If any additional fees are due please charge all fees to Deposit Account No. 50-1984.

Respectfully submitted,



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Dated: September 24, 2004